

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WELLS FARGO BANK, N.A., as Trustee, TROPIC :  
CDO I LTD., TROPIC CDO I CORP., TROPIC CDO II :  
LTD., TROPIC CDO II CORP., TROPIC CDO III :  
LTD., TROPIC CDO III CORP., TROPIC CDO IV :  
LTD., TROPIC CDO IV CORP., SOLOSO CDO 2005- :  
1 LTD., SOLOSO CDO 2005-1 CORP., SOLOSO CDO :  
2007-1 LTD., and SOLOSO CDO 2007-1 CORP., :  
:

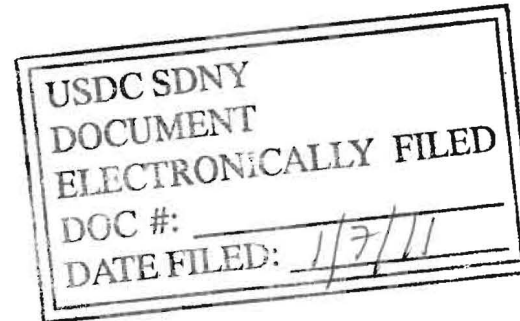
Interpleader Plaintiffs, :

v. :

TRUST PREFERRED SOLUTIONS, LLC; HILDENE :  
OPPORTUNITIES MASTER FUND, LTD., :  
CITIBANK, N.A., CITIGROUP GLOBAL MARKETS, :  
INC., ZIONS FIRST NATIONAL BANK, VERTICAL :  
CDO 2004-1, LTD., VERTICAL CDO 2003-1 LTD., :  
BANC OF AMERICA SECURITIES LLC, ING :  
CAPITAL LLC, AUGUSTUS FUNDING LTD., :  
LIMEHOUSE CDO 2008-1 LTD., PENNWOOD CDO :  
2008-1 LTD., HSH NORDBANK AG LUXEMBOURG :  
BRANCH, SHENANDOAH LIFE INSURANCE :  
COMPANY, THE HUNTINGTON NATIONAL :  
BANK, AG FINANCIAL PRODUCTS INC., SCP :  
CAPITAL I, LTD., SCP MASTER FUND II, LTD., :  
CRYSTAL FUND, LTD., CRYSTAL FUND II, LTD., :  
WOODMEN OF THE WORLD LIFE INSURANCE, :  
AG CNG FUND, L.P., AG SUPER FUND, L.P., AGA :  
SUPER FUND INTERNATIONAL PARTNERS, L.P., :  
ALVIN SHERMAN 1993 REV.LIVING TRUST, GAM :  
ARBITRAGE INVESTMENTS, INC., JAYNE :  
SHERMAN, WATERFALL EDEN MASTER FUND, :  
LTD., WMS WASHINGTON FUND LLC, and CEDE :  
& CO., as holder of certain Secured Notes :  
and nominee name of the Depository Trust :  
Company, and DOES 1 through 100, :  
owners of beneficial interests in the Notes :  
and/or Preferred Shares, :  
:

Interpleader Defendants :  
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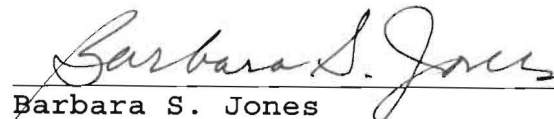
BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE



09-Civ-9135 (BSJ)  
ORDER

With the withdrawal of the purchase offer by TPS, the above-captioned action no longer presents a case or controversy for adjudication. In addition, there are no longer the adverse claimants needed to maintain jurisdiction in an interpleader action. Therefore, the case is dismissed for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1). All pending motions are dismissed as moot. The Clerk of the Court is directed to close the case and terminate the pending motions (ECF Docket Numbers 173, 176, 178 and 183).

SO ORDERED:

  
Barbara S. Jones  
UNITED STATES DISTRICT JUDGE

Dated: New York, New York  
January 7, 2011